

MEMORANDUM

Agenda Item No. 8(0)(1)

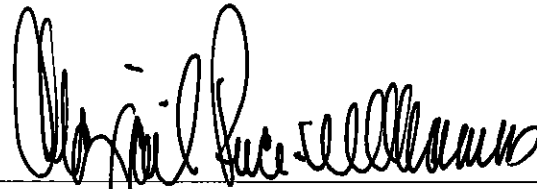
TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: April 10, 2018

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution authorizing sale and transfer of ownership of Miami-Dade County Sewer Facilities valued at \$450.00 to TB Isle Resort LP, a Delaware Limited Partnership, pursuant to the provisions of Section 274.06, Florida Statutes; and authorizing the County Mayor to execute all documents necessary to sell and transfer said sewer facilities

The accompanying resolution was prepared by the Water and Sewer Department and placed on the agenda at the request of Prime Sponsor Commissioner Sally Heyman.

A handwritten signature in black ink, appearing to read 'Abigail Price-Williams', is written over a horizontal line.

Abigail Price-Williams
County Attorney

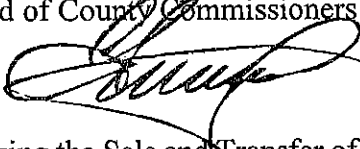
APW/lmp

Memorandum



Date: April 10, 2018

To: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

From: Carlos A. Gimenez 
Mayor

Subject: Resolution Authorizing the Sale and Transfer of Ownership of Miami-Dade County Sewer Facilities at Turnberry Isle Resort located in the City of Aventura

Recommendation

It is recommended that the Board of County Commissioners (Board): (1) approve the attached resolution authorizing the sale and transfer of ownership of Miami-Dade County's sewer infrastructure located at Turnberry Isle Resort to TB Isle Resort LP, a Delaware limited partnership, pursuant to the provisions of Section 274.06, Florida Statutes, and (2) authorize the County Mayor or the County Mayor's designee to execute all documents necessary to sell and transfer said sewer infrastructure, including a release of the County's easement. The sewer facilities to be conveyed include 263 linear feet of 10-inch utility piping and two manholes.

Scope

The Miami-Dade Water and Sewer Department (WASD) provides sewer service to Turnberry Isle Resort, located at 19999 West Country Club Drive, Aventura, Florida 33180 in District 4, which is represented by Commissioner Sally Heyman.

Fiscal Impact/Funding Source

There is a positive fiscal impact to the County associated with the sale and transfer of ownership of the sewer infrastructure as TB Isle Resort LP will pay the appraised amount of \$450.

Track Record/Monitor

WASD's Deputy Director of Capital Improvements and Regulatory Compliance, Hardeep Anand, will monitor the sale and transfer of the sewer facilities.

Background

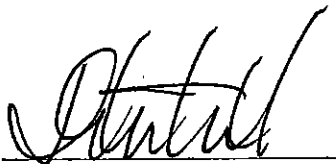
The County, through WASD, owns a portion of the sewer infrastructure in the Turnberry Isle Resort. The sewer facilities are located on an easement within private property on the western boundary of Turnberry Isle Resort perpendicular to West Country Club Drive, as shown on Exhibit A. The sewer facilities were installed in 1988 and provide sewer service only to Turnberry Isle Resort. On December 8, 2017, the sewer facilities were appraised at \$450 by an independent County-approved appraiser, see Exhibit B.

TB Isle Resort LP, the property owner of Turnberry Isle Resort, is further developing Turnberry Isle Resort and requires additional private sewer facilities. As such, TB Isle Resort LP is requesting the sale and transfer of ownership of the County's sewer facilities to facilitate the development of Turnberry Isle Resort.

The County's sewer facilities have become difficult for WASD to maintain due to the manner in which Turnberry Isle Resort has been developed over the years, specifically the construction of a parking garage over the sewer facilities. As a result, it has become uneconomical and inefficient for Miami-Dade County to continue owning and maintaining the sewer facilities. Miami-Dade County will not lose any revenue as a result of the sale and transfer of the sewer facilities.

Pursuant to the requirements of Section 274.06, Florida Statutes, Miami-Dade County is authorized to dispose of the property in the most efficient and cost-effective means if the property is valued at less than \$5,000. A sale and transfer to TB Isle Resort LP for the appraised value meets that requirement.

Because the sewer facilities collect sewage from only Turnberry Isle Resort, WASD recommends approval of this sale and transfer of these sewer facilities to TB Isle Resort LP as the facilities have no use or value to any person or entity other than TB Isle Resort LP. As part of this conveyance, WASD will release the easement it has for these facilities, which is recorded in Official Record Book 14152 at Page 343.

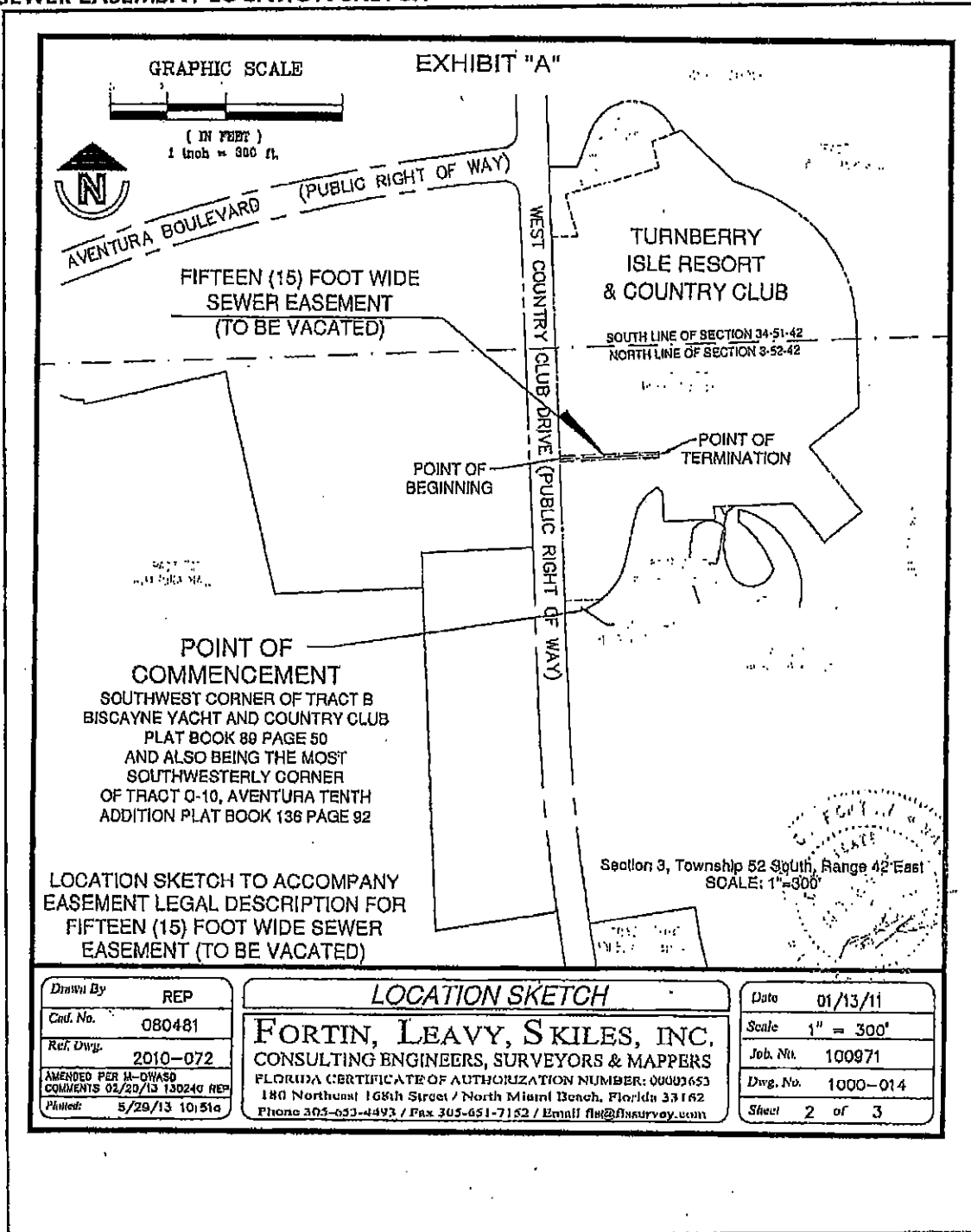
A handwritten signature in black ink, appearing to read "J. Osterholt", written over a horizontal line.

Jack Osterholt
Deputy Mayor

EXHIBIT A

Site Analysis

SEWER EASEMENT LOCATION SKETCH



CBRE

Exhibit B

VALUATION & ADVISORY SERVICES

CBRE

777 Brickell Avenue, Suite 1100
Miami, FL 33131

T (305) 381-6472
F (305) 381-6462

www.cbre.com

December 11, 2017

Andrew J. Von Gustedt
Associate General Counsel
TB ISLE RESORT, LP, A DELAWARE LIMITED PARTNERSHIP
19950 West Country Club Drive, 10th Floor
Aventura, Florida 33180

RE: Appraisal of Turnberry Isle Resort ID#21518 - Sewer Easement - Reverse Conveyance
19999 West Country Club Drive
Aventura, Miami-Dade County, Florida 33180
CBRE, Inc. File No. 17-397MI-1975

Dear Mr. Gustedt:

At your request and authorization, CBRE, Inc. has prepared an appraisal of the market value of the referenced property. Our analysis is presented in the following Appraisal Report.

The subject is the existing sewer line improvements including the 263.3 linear feet of PVC utility piping and two (2) manholes that lie within a 15-foot wide, 0.09-acre (3,949 sq. ft.) sewer easement located at 19999 West Country Club Drive in Aventura, Florida.

Based on the analysis contained in the following report, the market value of the subject is concluded as follows:

MARKET VALUE CONCLUSION			
Appraisal Premise	Interest Appraised	Date of Value	Value Conclusion
As Is	Fee Simple Estate	December 8, 2017	\$450
Compiled by CBRE			

The report, in its entirety, including all assumptions and limiting conditions, is an integral part of, and inseparable from, this letter.

The following appraisal sets forth the most pertinent data gathered, the techniques employed, and the reasoning leading to the opinion of value. The analyses, opinions and conclusions were developed based on, and this report has been prepared in conformance with, the guidelines and recommendations set forth in the Uniform Standards of Professional Appraisal Practice (USPAP), the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.

5

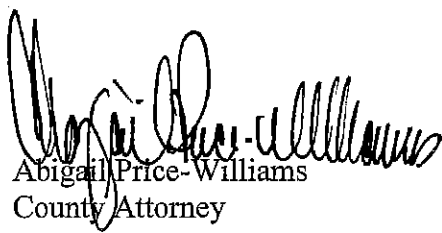


MEMORANDUM

(Revised)

TO: Honorable Chairman Esteban L. Bovo, Jr.
and Members, Board of County Commissioners

DATE: April 10, 2018

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(0)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(0)(1)
4-10-18

RESOLUTION NO. _____

RESOLUTION AUTHORIZING SALE AND TRANSFER OF OWNERSHIP OF MIAMI-DADE COUNTY SEWER FACILITIES VALUED AT \$450.00 TO TB ISLE RESORT LP, A DELAWARE LIMITED PARTNERSHIP, PURSUANT TO THE PROVISIONS OF SECTION 274.06, FLORIDA STATUTES; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXECUTE ALL DOCUMENTS NECESSARY TO SELL AND TRANSFER SAID SEWER FACILITIES

WHEREAS, the Miami-Dade Water and Sewer Department provides sewer services to Turnberry Isle Resort, located at 19999 West Country Club Drive, Aventura, Florida 33180, which property is owned by TB Isle Resort LP; and

WHEREAS, Miami-Dade County owns sewer infrastructure within an easement (recorded in Official Record Book 14152 at Page 343) within private property on the western boundary of Turnberry Isle Resort perpendicular to West Country Club Drive, as depicted on the drawing attached to the accompanying background memorandum as Exhibit "A" (hereinafter, the "Subject Infrastructure"); and

WHEREAS, the Subject Infrastructure only serves Turnberry Isle Resort; and

WHEREAS, the Subject Infrastructure consists of 263.3 linear feet of 10-inch PVC utility piping and two (2) manholes, which were installed in 1988; and

WHEREAS, the Subject Infrastructure was appraised at four hundred fifty dollars (\$450.00) by an independent County-approved appraiser whose appraisal report summary is attached to the accompanying background memorandum as Exhibit "B"; and

WHEREAS, the Subject Infrastructure has become difficult for the Miami-Dade Water and Sewer Department to maintain due to the manner in which Turnberry Isle Resort has developed over the years; and

WHEREAS, as a result of Turnberry Isle Resort's development, it has become uneconomical and inefficient for Miami-Dade County to continue owning and maintaining the Subject Infrastructure; and

WHEREAS, Miami-Dade County will not lose any revenue as result of the sale and transfer of the Subject Infrastructure; and

WHEREAS, pursuant to the requirements of Section 274.06, Florida Statutes, Miami-Dade County is authorized to dispose of the property valued at less than \$5,000.00 in the most efficient and cost-effective manner; and

WHEREAS, TB Isle Resort LP is willing to pay the appraised amount of \$450.00 for the Subject Infrastructure,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that the Board hereby ratifies and adopts the foregoing recitals and finds that: (1) in light of TB Isle Resort's plans for Turnberry Isle Resort, it will be uneconomical and inefficient for Miami-Dade County to continue to own and maintain the Subject Infrastructure, and (2) the Subject Infrastructure has no use or value to any person or entity other than TB Isle Resort LP. The Board, therefore, authorizes, pursuant to Section 274.06, Florida Statutes, the sale and transfer of ownership of the Subject Infrastructure to the property owner, TB Isle Resort LP, for \$450.00, and also authorizes the County Mayor or County Mayor's designee to take all actions necessary to effectuate the foregoing, including but not limited to, the preparation of all documents necessary for sale and

transfer of ownership of the Subject Infrastructure as depicted on Exhibit "B" and the release of the existing easement (recorded in Official Record Book 14152 at Page 343). All documents related to the sale and transfer of ownership shall be approved by the County Attorney's Office.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Esteban L. Bovo, Jr., Chairman	
Audrey M. Edmonson, Vice Chairwoman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Sally A. Heyman
Barbara J. Jordan	Joe A. Martinez
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 10th day of April, 2018. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

SED

Sarah E. Davis